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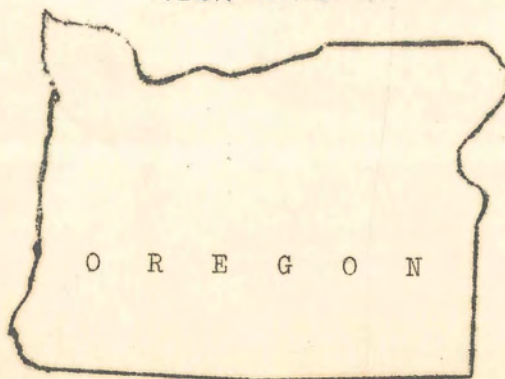
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OREGON ODDITIES
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That nerve-wracking noises are not peculiar to the machine age is attested by a letter dated 1903, written to George A. Himes by Miss Mary Hodgdon, pioneer Portland teacher.

Present day citizens complain of wide-open cutouts, shrieking whistles, clanging street cars. In 1861 no such noises offended Miss Hodgdon's ears. Instead she found cows, not only a physical obstacle to be avoided on the sidewalks, but the source of noises too nerve-wracking to be overlooked.

Probably she was one of the fitful sleepers she mentions in her letter when she says, "the musical sound of cowbells could be heard at almost anytime of the night, to the great annoyance of the poor sleepers. One gentleman whom I know, frequently, on his way home in the evening, detached the bells from the cows and threw them in the gutter, hoping thereby to secure a better night's rest. The owners often wondered how the cows managed to rid themselves of their bells, in their innocence never suspecting the hand of a suffering neighbor."

In Roseburg, Oregon, an anti-noise ordinance prohibiting the use of cowbells at night is on record. The ordinance, dated January 14, 1889, reads as follows:

"An ordinance to prevent the use of bells on cows and other domestic animals in the night time between the hours of 8 o'clock and 6 o'clock in the morning." The ordinance is still on the books unrepealed.

Although early Oregon citizens had a great aversion to speedy traffic and its dangers, noise from locomotives was rather a source of pride than otherwise. This is demonstrated by some of the city ordinances.

In July 1873 Oregon City passed an ordinance to compel all conductors and engineers on trains south bound through the city to cause the whistle to be sounded at Abernethy creek and

the bell to be rung all the while the train passed through the city. North bound trains were required to whistle and to ring the bell at Imperial Mills. No train was permitted to "run or move faster than at the rate of four miles per hour while passing through" Oregon City. The town fathers amended this in 1880 to permit passage from Imperial Mills to the Congregational church at eight miles per hour.

Astoria was so plagued with speed that the city council ordained that no person should be permitted to ride or drive a beast of burden at a greater speed than six miles per hour within the city limits. Traffic on roads built on piling was restricted to four miles per hour, and loaded drays could not cross such streets faster than a walk.

A few years later bicycles so aggravated the perils of traffic that the Oregon legislature passed a law to the effect that cyclists should halt whenever they approached within a hundred yards of a team, dismount, and remain standing until the horses had passed. In commenting on this law, the Daily Astorian, July 13, 1886, declared, "This law may be a good one, but it does not go far enough; it should be amended so as to compel the bicyclist to take off his hat and remain uncovered while the driver of the team is passing."

The question of Sunday closing is not a new one. During Territorial days the district court at Eugene often found itself concerned with this problem. October 7, 1854, Mason Benson was indicted for keeping a grocery open Sunday. The charge was withdrawn when Benson paid court costs. The same year a grogshop keeper was indicted, convicted and fined ten dollars for selling liquor on Sunday. The indictment was concerned, however, as much with the offender's lack of a license for selling spirits, as it was with his moral offense.

Pioneer court records reveal how greatly women's political and civil status has changed in the last hundred years.

In 1856 Thomas McBride of Yamhill county, who wished his wife to be well provided for, found it necessary to will her her own clothes and all the beds and bed clothes she owned prior to their marriage. He also willed her the "cubboard and all its ware.... a three year old mare I bought from Frederick Bunn, a young cow called 'Brownny', a young heifer, offspring of a cow called 'Cherry', and a two year old heifer called 'Splinterheels'." He provided that his wife should have the use of the pasture and the homestead as long as she remained a widow.

A contrary genius in the same county, according to a newspaper item in 1872, sued his father-in-law for \$5000 on account of his wife turning out to be sickly and peevish, whereas she had been represented to him as strong and cheerful.

In the first recorded separate property rights in Union county, June 20, 1865, Mary Appleyard details the description of her wagon "with wooden axletree and blue stripes", her red ox, her roan ox with the broad horns, her revolver, her brindle cow with the slit-off ear, her "two feather beds and bedding for same with one wooden churn with iron hoops", all of which she gives notice she intends to "sell or to keep as I think best."

Roseburg city fathers in 1882 concerned over the washerwoman problem, decreed: "Any woman who had been lawfully married and has a legitimate child or children to support may operate a hand laundry upon recommendation of the committee on health, and police."

Mary Ann Smith was the first Oregon woman to obtain a divorce, the decree being given in the Provisional court, November 2, 1846. A jury trial was held, the jury finding "the allegations as set forth in the petitions substantiated", and to Mary Ann Smith were restored "all the rights and immunities of a state of celibacy."

Contrary to her name, Charity Lamb was the first woman in Oregon to be convicted of murder. In United States district court, Territory of Oregon, she was found guilty of murder in the second degree and on Sept. 7, 1854, was sentenced to hard labor during her natural life.

Sunday baseball was frowned upon to such an extent by pioneers that baseball clubs themselves legislated against it. It is hardly imaginable that the Portland Beavers would pass a resolution such as the Highland Baseball Club inserted in the Oregon City Enterprise for August 3, 1867:

"The practice of playing ball on Sunday is not only very immoral, but disturbs the peace and quiet of the neighborhood where it is practiced. ...names of club members will be erased from books if they use the grounds or any implements belonging to the club on Sunday."

It was reported July 13, 1867 in the Oregon State Journal of Salem that "the Dysodia Base Ball Club is the name of our new society for the development of muscles." The Salem club played the Portland Baseball Club that autumn at the State Fair for the state title, Portland defeating her rivals 92 to 25.

Eastern Oregon did not popularize baseball until the 1890's at which time the editor of the East Oregon Herald demanded to know why the boys of Burns preferred to play baseball on Sunday instead of attending church. He counted 35 boys at the game within less than 100 yards of the church and predicted dire results if the lads of Burns did not change their ways.

According to police court records of 1859-60 rowdyism cases paralleled those of today. In April 1859 three men, Stewer, Friendly, and Maurer, were convicted and fined for "furiously riding a horse on Second Street at a rate exceeding six miles per hour." January 5 the following year, John Dyer was fined \$3 for riding his horse across a sidewalk, a favorite bit of

deviltry among young blades. On October 31, 1861, J. G. Kriechbaum was accused of throwing glass in the street but was acquitted.

A curious reminder of the decade preceding the Civil War was found in the archives of the Washington county court house.

A bill of sale, executed in Ray County, Missouri, December 17, 1852, tells of a free woman of color, one Jane Thomas, formerly Jane Snowden, purchasing for the sum of \$500, from one David Snowden, her eleven-year-old son, Billy. "This sale," the record reads, "is made to gratify the said Jane Thomas, the mother of the said negro boy Bill, as she is about to migrate to Oregon and wishes to take the boy with her."

That the story revealed in the 84-year-old document had a happy ending is indicated by the recording of the bill of sale at Hillsboro, Oregon Territory, April 13, 1854.

A street-lighting law entitled "Moonlight Ordinance", forerunner of similar ordinances enacted in several American cities during the depression years, was passed in Oregon City in 1870, according to records found in the city hall archives.

The record reads as follows:

"That it is hereby made the duty of the night watchman to keep in order and light up the street lamps, and keep the same burning from dark until daylight in the morning; Provided that they are not to be lit up or kept burning when it is moonlight."

It was also forbidden, the record reveals, to hitch horses to the lamp-post.

A curious list of fees charged by ferries operating across the Willamette and McKenzie rivers 85 years ago was discovered in the archives on the Lane county court house.

The following fees are designated:

"For each, wagon with one yoke of oxen or span of horses... \$1.00
For a man and horse..... .25
For each pack horse..... .25
For each loose horse..... $.12\frac{1}{2}$
For each footman..... $.12\frac{1}{2}$
For each sheep or hog..... .04
In case of high water, add one third to the above rate of fees."
The cost of a ferry license in 1851 was four dollars a year.

In 1875 a ten-year-old boy from Multnomah county, who was convicted of stealing candy, was sentenced to three years in the penitentiary. He served his full sentence. At the same time a man, sentenced to life for murder, was pardoned after four months. The 1875 book of records shows that the conviction and sentence of boys from twelve to fifteen was not uncommon.

Although only four of the first thousand inmates were women, and although less than three hundred women have been sentenced to the prison since 1869, they have been convicted of practically every crime men serve time for--murder, train robbery, larceny, and bigamy.

At present there is not one Chinese among the 900 convicts in the Oregon penitentiary.

The old records indicate very lax administration in the early days. The average term for the first hundred convicts, who were sentenced for every crime from larceny to murder, was three years. Several of this number were pardoned, and seventy-three escaped, reducing the time actually served to an average of one year. From 1861 to 1876 every man committed for "life" either escaped or was pardoned. Some who escaped were recaptured then pardoned.

A record of releases was established during the Olcott administration when Acting Governor Ritner paroled 28 prisoners and pardoned 27 more during a period of one month in 1925.

There have been 15,000 inmates in the institution since it was established in 1851.